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CITIMORTGAGE, INC.; CITIBANK, N.A.;
WOLFE & WYMAN LLP; BRIAN H. GUNN;
ANDREW A. BAO and HEATHER S. KIM

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In Re	Bankruptcy No. 10-16183-B
SALMA AGHA,	Chapter 7
Debtor.	Adversary No. 14-01155-B

SALMA AGHA,
 Plaintiff/Debtor,

v.

THE UNITED STATES OF AMERICA,
 et al.

Defendants.

MST 001

**REQUEST FOR JUDICIAL NOTICE
 BY DEFENDANTS IN SUPPORT OF
 MOTIONS TO DISMISS AND STRIKE
 PLAINTIFF'S ADVERSARY
 COMPLAINT**

Date: April 9, 2015
 Time: 10:00 a.m.
 Place: Department B
 U.S. Courthouse
 510 19th Street
 Bakersfield, CA

Hon. Richard Lee

Defendants CITIMORTGAGE, INC., CITIBANK, N.A. (hereinafter collectively "CMI"),
 WOLFE & WYMAN LLP, BRIAN H. GUNN, ANDREW A. BAO, AND HEATHER S. KIM
 (hereinafter collectively "Wolfe & Wyman Defendants") (CMI and Wolfe & Wyman Defendants
 hereinafter collectively referred to as "Moving Defendants") hereby request the Court take judicial

1 notice of the following documents in support of Moving Defendants' motions to dismiss and strike
2 Plaintiff's Adversary Complaint.

3 1. Deed of Trust recorded on January 17, 2003 in Kern County Official Records as
4 Document Number 0203009500, a true and correct copy of which is attached hereto as **Exhibit A.**

5 2. Assignment of Deed of Trust recorded on March 8, 2010 in Kern County Official
6 Records as Document Number 0210030116, a true and correct copy of which is attached as
7 **Exhibit B.**

8 3. Notice of Default recorded on March 8, 2010 in Kern County Official Records as
9 Document Number 0210030118, a true and correct copy of which is attached as **Exhibit C.**

10 4. Substitution of Trustee recorded on March 8, 2010 in Kern County Official Records
11 as Document Number 0210030117, a true and correct copy of which is attached as **Exhibit D.**

12 5. Court Docket, U.S. Bankruptcy Court, Eastern District (Fresno), Case No. 10-16183-
13 A-7, a true and correct copy of which is attached as **Exhibit E.**

14 6. Order granting Plaintiff a discharge under Section 727 of Title 11, United States
15 Code, entered and filed on September 23, 2010, in the U.S. Bankruptcy Court, Eastern District
16 (Fresno), Case No. 10-16183-A-7, a true and correct copy of which is attached as **Exhibit F.**

17 7. Certificate of Notice served and filed on September 23, 2010, in the U.S. Bankruptcy
18 Court, Eastern District (Fresno), Case No. 10-16183-A-7, a true and correct copy of which is
19 attached as **Exhibit G.**

20 8. Final Decree issued by the U.S. Bankruptcy Court ordering the estate closed and the
21 trustee discharged, filed on January 7, 2011, in the U.S. Bankruptcy Court, Eastern District (Fresno),
22 Case No. 10-16183-A-7, a true and correct copy of which is attached as **Exhibit H.**

23 9. Notice of Trustee's Sale recorded on August 16, 2011 in Kern County Official
24 Records as Document Number 000211103865, a true and correct copy of which is attached as
25 **Exhibit I.**

26 10. Trustee's Deed Upon Sale recorded on May 29, 2012 in Kern County Official
27 Records as Document Number 000212071602, a true and correct copy of which is attached as
28 **Exhibit J.**

1 11. Superior Court of California, County of Kern, Register of Actions/Case Docket for
2 Case Number S-1500-CL-269189, a true and correct copy of which is attached as **Exhibit K**.

3 12. Complaint filed on July 23, 2013, with the Superior Court of California, County of
4 Kern, Case Number S-1500-CV-279897 ("Khan I"), a true and correct copy of which is attached as
5 **Exhibit L**.

6 13. Order on Defendants' F.R.Civ.P. 12 Motion to Dismiss executed by Honorable
7 Lawrence J. O'Neill on and filed September 30, 2013 in Khan I, a true and correct copy of which is
8 attached as **Exhibit M**.

9 14. Judgment of Dismissal entered by R. Gonzalez on September 30, 2013 in Khan I, a
10 true and correct copy of which is attached as **Exhibit N**.

11 15. Opposition to Issuance of Order to Show Cause re: Preliminary Injunction filed by
12 CMI on August 15, 2013 in Khan I, a true and correct copy of which is attached as **Exhibit O**.

13 16. *Ex Parte* Motion to Reopen Plaintiff's Chapter 7 Bankruptcy filed by the U.S. Trustee
14 on September 13, 2012, in U.S. Bankruptcy Court, Eastern District Case No. 10-16183-A-7, a true
15 and correct copy of which is attached as **Exhibit P**.

16 17. Order Granting U.S. Trustee's Motion to Reopen Bankruptcy filed on September 18,
17 2012, in U.S. Bankruptcy Court, Eastern District Case No. 10-16183-A-7, a true and correct copy of
18 which is attached as **Exhibit Q**.

19 18. Adversary Complaint filed on August 1, 2013, in United States Bankruptcy Court,
20 Eastern District of California, Case Number 13-01086A ("Khan II"), a true and correct copy of
21 which is attached as **Exhibit R**.

22 19. Khan II Docket, a true and correct copy of which is attached as **Exhibit S**.

23 20. Opposition to Plaintiff's *Ex Parte* Motion to Vacate Lock Out and Restore Plaintiff
24 Salma Agha to Possession of 11622 Harrington Street, Bakersfield, California 9331 filed by CMI on
25 January 2, 2014 in Khan II, a true and correct copy of which is attached as **Exhibit T**.

26 21. *Ex Parte* Motion for Relief from Automatic Stay filed by CMI on August 4, 2014 in
27 Khan II, a true and correct copy of which is attached as **Exhibit U**.

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22. United States District Court – Central District of California Docket for Case Number 2:14-cv-03490 (“Khan III”), a true and correct copy of which is attached as **Exhibit V**.

23. Alias Summons issued in Khan III, a true and correct copy of which is attached as **Exhibit W**.

DATED: January 27, 2015

WOLFE & WYMAN LLP

By: /s/ Meagan S. Tom SBN 273489

ANDREW A. BAO

MEAGAN S. TOM

Attorneys for Defendants

**CITIMORTGAGE, INC.; CITIBANK, N.A.;
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